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Deputy Clerk, U.S. District Court
Middle District of Georgia

United States Court of Appeals

For the Eleventh Circuit

No. 08-10107

District Court Docket No.
01-00292-CV-HL-5

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
Apr 10, 2009
THOMAS K. KAHN
CLERK

DANNY WILLIAMS,

Plaintiff-Appellant,

versus

JAMES E. DONALD, Commissioner,
Georgia Department of Corrections,
VICTOR WALKER,

Defendants-Appellees.

A True Copy - Attested
Clerk U.S. Court of Appeals,
Eleventh Circuit
By: Deputy Clerk
Atlanta, Georgia

Appeal from the United States District Court
for the Middle District of Georgia

JUDGMENT

It is hereby ordered, adjudged, and decreed that the attached opinion included herein by reference, is entered as the judgment of this Court.

ISSUED AS MANDATE
MAY 11 2009
U.S. COURT OF APPEALS
ATLANTA, GA.

Entered: April 10, 2009
For the Court: Thomas K. Kahn, Clerk
By: Gilman, Nancy

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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DANNY WILLIAMS,

Plaintiff-Appellant,

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JAMES E. DONALD, Commissioner,
Georgia Department of Corrections,
VICTOR WALKER,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Georgia

(April 10, 2009)

Before BLACK, PRYOR and COX, Circuit Judges.

PER CURIAM:

Following oral argument in this appeal, we entered a Limited Remand Order remanding this case to the district court for the purpose of deciding whether this case is moot because of the October 6, 2008, amendment (effective after the action was filed) to the regulation at issue. The district court has now entered an order, consented to by all parties, finding the action moot. Accordingly, it is ordered, that the final judgment granting summary judgment on the merits in favor of the Defendants is vacated and the action is remanded to the district court with instructions to dismiss the action as moot.

JUDGMENT VACATED; REMANDED WITH INSTRUCTIONS.[1]

A True Copy - Attested
Clerk U.S. Court of Appeals,
Eleventh Circuit
By: [signature]
Deputy Clerk
Atlanta, Georgia

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[1]Appellees' Motion to Dismiss for Lack of Subject Matter Jurisdiction is DENIED.